IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 21ST DECEMBER 2006 / 30TH AGRAHAYANA 1928

Bail Appl..No. 7574 of 2006()

CMP.16649/2006 of J.M.F.C.,KARUNAGAPPALLY

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: PETITIONERS/ACCUSED NOS.1 AND 2

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1. NISAR, S/O. MUHAMMEDKUNJU,
   AGED 25 YEARS, ALAKKADATHARAYIL, K.S.PURAM,
   KARUNAGAPPALLY.

2. SHAMEER, S/O. ABDUL SALIM,
   AGED 19 YEARS, ALAKKADATHARAYIL,
   K.S.PURAM, KARUNAGAPPALLY.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS: COMPLAINANT

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1. THE SUB INSPECTOR OF POLICE,
   KARUNAGAPPALLY POLICE STATION.

2. THE DEPUTY SUPERINTENDENT OF POLICE,
   KARUNAGAPPALLY.
   (RESPONDENTS 1 AND 2 REPRESENTED BY THE
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.)

BY PUBLIC PROSECUTOR SRI. A.S. SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO.7574 of 2006

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DATED: 21-12-2006

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioners who are accused Nos.1 and 2 in Crime No.1209/2006 of Karunagappally Police Station for offences punishable under Secs. 143, 147, 148 and 326 read with Sec. 149 I.P.C. and under Sec. 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, seek their enlargement on bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioners and the other circumstances of the case etc., I am inclined to grant bail to the petitioners. Accordingly, the petitioners are directed to be released on bail with effect from 01-01-2007 on each of them executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Karunagappally, and subject to the following conditions:

1. The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

3. The petitioners shall not commit any offence while on bail.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

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